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23 *Attorneys for Plaintiffs*

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25 UNITED STATES DISTRICT COURT
26 FOR THE NORTHERN DISTRICT OF CALIFORNIA
27 SAN FRANCISCO DIVISION

28 AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, AFL-CIO,
et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, et al.,

Defendants.

Case No. 3:25-cv-03698-SI

**SUPPLEMENTAL DECLARATION OF
DANIELLE LEONARD**

DECLARATION OF DANIELLE LEONARD

I, Danielle Leonard, declare as follows:

1. I am a member in good standing of the bar of the State of California, a partner at the law firm Altshuler Berzon LLP, and one of the counsel of record for the Union and Non-Profit Organization Plaintiffs in the above-captioned case. The contents of this declaration are based on my personal knowledge, and if called to testify I would competently testify thereto.

2. A true and correct copy of a letter sent by Congresswoman Lois Frankel, Ranking Member of the House Appropriations Subcommittee on National Security, Department of State, and Related Programs to Secretary of State Marco Rubio on June 10, 2025, which is available at and has been downloaded from Congresswoman Frankel's official U.S. House of Representatives website at the following link, https://frankel.house.gov/uploadedfiles/state_dept_reorg_rubio_letter.pdf, is attached hereto as **Exhibit A**.

3. A true and correct copy of a State Department document, Fiscal Year 2026 Congressional Budget Justification for the Department of State, Foreign Operations, and Related Programs, which is available at and has been downloaded from the official website of the U.S. State Department at the following link: <https://www.state.gov/wp-content/uploads/2025/05/FY-2026-State-CBJ-.pdf>, is attached hereto as **Exhibit B**.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed June 11, 2025, in San Francisco, California.

/s/ Danielle Leonard

Danielle Leonard

Exhibit A

LOIS FRANKEL
22ND DISTRICT, FLORIDA

WASHINGTON OFFICE
2305 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-9890

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7499 WEST ATLANTIC AVE, UNIT 206
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frankel.house.gov

Congress of the United States
House of Representatives
Washington, DC 20515-0922

**COMMITTEE ON
APPROPRIATIONS**

**NATIONAL SECURITY AND
DEPARTMENT OF STATE**
Ranking Member

**LABOR, HEALTH AND HUMAN
SERVICES, EDUCATION**

**DEMOCRATIC WOMEN'S
CAUCUS**
Chair Emerita

June 10, 2025

The Honorable Marco Rubio
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Mr. Secretary:

On May 29, 2025, the Department of State submitted the required spend plan for Diplomatic Engagement (CN25-033). While I appreciate the submission of this plan, I am concerned that, nearly two weeks later, the Department has yet to submit the corresponding spend plan for foreign assistance, as required under P.L. 119-4.

Additionally, I am troubled by the reference in the May 29 spend plan to the Department's ongoing reorganization (page 6). In particular, the plan notes:

"In addition, pursuant to E.O. 14210 Implementing the President's 'Department of Government Efficiency' Workforce Optimization Initiative, the agency reorganization plan was released on April 22 and, subject to additional review, may involve other separation expenses, including Reduction in Force (RIF) costs."

This language raises serious questions about the Department's intention to proceed with reorganization and RIF actions. As you know, the recent court case *AFGE, AFL-CIO v. Trump* resulted in a preliminary injunction prohibiting implementation of agency RIFs and reorganization plans. Staff have requested clarification on how the Department's stated intentions are consistent with that injunction, but thus far, responses have been insufficient.

Given the significance of these matters, I respectfully request a written legal justification explaining why the Department believes the preliminary injunction does not apply to its reorganization and RIF implementation efforts.

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22ND DISTRICT, FLORIDA

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CAUCUS**
Chair Emerita

Thank you for your attention to this important issue.

Sincerely,



Lois Frankel

Ranking Member

House Appropriations Subcommittee on National Security, Department of State, and Related
Programs

Exhibit B

Congressional Budget Justification

Department of State, Foreign Operations, and Related Programs



FISCAL YEAR 2026

DIPLOMATIC PROGRAMS (DP)

| (\$ in thousands) | FY 2024 Estimate ^{1, 2} | FY 2025 Estimate ¹ | FY 2026 Request | Change from FY 2025 Estimate |
|--------------------------------------|-------------------------------------|----------------------------------|--------------------|------------------------------------|
| Diplomatic Programs | 9,413,107 | 9,413,107 | 8,569,529 | (843,578) |
| Ongoing Operations | 5,599,400 | 5,599,400 | 4,831,873 | (767,527) |
| Program Operations | 4,923,880 | 5,009,858 | 4,330,745 | (679,113) |
| Public Diplomacy | 675,520 | 589,542 | 501,128 | (88,414) |
| Worldwide Security Protection | 3,813,707 | 3,813,707 | 3,737,656 | (76,051) |

¹ FY 2024 Estimate excludes \$197.5 million of Buying Power Maintenance Account (BPMA) transfers into DP, as well as a \$900,000 transfer into DP from the Emergencies in the Diplomatic and Consular Service (EDCS) account. FY 2025 Estimate excludes \$298.5 million of BPMA transfers into DP.

² FY 2024 Estimate does not include \$60.0 million from the 2024 Ukraine Security Supplemental Appropriations Act (Div. B, P.L. 118-50), or \$150 million from the 2024 Israel Security Supplemental Appropriations Act (Div. A, P.L. 118-50).

The Diplomatic Programs (DP) appropriation is fundamental to the Department's implementation of U.S. foreign policy, providing the people, infrastructure, security, and programs that facilitate productive and peaceful U.S. relations with foreign governments and international organizations worldwide. It funds personnel and programs spanning 41 bureaus and offices, 191 countries, and over 270 diplomatic posts.

The DP appropriation contains four categories (Human Resources, Overseas Programs, Diplomatic Policy and Support, and Security Programs) across three major programmatic allocations (Program Operations, Public Diplomacy, and Worldwide Security Protection (WSP)). Program Operations and Public Diplomacy (PD) are referred to collectively as "Ongoing Operations."

The FY 2026 DP Request is \$8,569.6 million, of which \$4,831.9 million is for Ongoing Operations and \$3,737.7 million for WSP.

Agency Reorganization and Staffing:

The FY 2026 Department of State Congressional Budget Justification serves as a baseline document separate from the Department's reorganization plans notified on May 29, 2025. For this reason, there may be differences between the materials. As outlined in the January 20, 2025, Presidential Memorandum *Hiring Freeze*, the Department has implemented the federal civilian hiring freeze with very limited exceptions, particularly with regards to the integration, and requisite oversight, of former USAID programs into the Department.

- The Request reflects projected savings of \$151.7 million across DP Ongoing Ops-funded bureaus. The Department has implemented two phases of the Deferred Resignation Program (DRP). The Request reflects distribution of Phase 1 by bureau; given timing for DRP Phase 2 a projected reduction is included centrally within the Human Resources Initiative (HRI) allocation.

- Pursuant to E.O. *Implementing the President's "Department of Government Efficiency" Workforce Optimization Initiative*, this request includes the projected impact of the Department's Agency RIF and Reorganization Plan (ARRP) reductions totaling \$173.4 million (of which, \$137.9 million is AmSals and \$35.5 million is bureau-managed) reflected across applicable DP bureaus for office closures and functions to be abolished.
- Consistent with CN 25-029, the request reflects the closure of the R/Counter Foreign Information Manipulation and Interference (R/FIMI) Hub division, established following the sunset of the Global Engagement Center (R/GEC).
- The Request includes \$358.4 million for the Department's integration of certain foreign assistance functions and activities previously covered by USAID, enabling 217 direct hire positions and related support costs for program management and oversight.

Grants and Contracts Review:

On February 26, 2025, Executive Order [14222](#) mandated that all federal agencies conduct a thorough review of their contracts and grants within a 30-day period. The objective of this review was to reduce overall federal spending or reallocate spending to promote efficiency. In compliance with this directive, the Department undertook a comprehensive review of its contracts and grants.

As a result of this review, the Department projects savings of \$322.2 million in contracts and grants for FY 2026, of which \$222.2 million is distributed among applicable bureaus and \$100 million is reflected in HRI. These savings reflect the Department's commitment to optimizing resource allocation and enhancing the efficiency of federal spending. These adjustments include the descoping and/or termination of certain contracts and grants. The resources from these adjustments have been realigned to support other Department priorities.

Diplomatic Programs - Ongoing Operations:

The Department's FY 2026 Request for DP Ongoing Operations is \$4,831.9 million, with \$4,330.7 million for Program Operations and \$501.1 million for PD. Within current services and other built-in adjustments, major changes from the FY 2025 Estimate include:

- \$15.6 million covers the annualization of 2025's 2% American pay raise.
- \$322.2 million reduction for descoped or terminated contracts and grants.
- \$173.4 million reduction reflects the projected savings in salary and position support costs for personnel related to the ARRP.
- \$287.5 million reduction for other program changes.

DP Ongoing Operations – Category Details